

REMARKS**Amendments to the Claims**

Applicants have made a number of amendments to the claims to address claim informalities. Specifically, claim 3 has been amended to provide antecedent basis for “said server” by reciting --said server comprising said database, data processor, and data recordal means.-- Claims 4 and 7-10 have replaced “said record” with --said data recordal means further records.-- Claim 5 has replaced “record” with --recorded input commands.-- Claims 8-12 have been amended to depend from claim 5 instead of claim 2. Claims 11, 12, and 19 have been amended to replace “programme” and “programmes” with --program-- and --programs--. Claims 16-19 have replaced “the record” with --records.-- The amendments have not been made in view of any prior art or for the purpose of patentability. No new matter has been entered.

Rejection under 35 U.S.C. § 102(b)

Claim 13 has been rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,694,544 to Tanigawa et al. (hereinafter Tanigawa).

It is well settled that to anticipate a claim, the reference must teach every element of the claim. *See* MPEP § 2131. Moreover, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he elements must be arranged as required by the claim.” *See* MPEP § 2131, citing *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990). Furthermore, in order for a prior art reference to be anticipatory under 35 U.S.C. § 102 with respect to a claim, “[t]he identical invention must be shown in as complete detail as is contained in the . . . claim.” *See* MPEP § 2131, citing *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913 (Fed. Cir. 1989). Applicant respectfully submits that the rejection does not satisfy these requirements.

Claim 13 is directed to a method of computer aided design of an object. Claim 13 recites, in part, “automatically recording modifications made to the design and storing information representing the modifications chronologically.”

Tanigawa is directed to a collaborative work system that enables the receipt of comments from users of the system. *See* col. 1, lines 17-21. Specifically, Tanigawa discloses:

The comment data 350 is composed of comment ID 410 for distinguishing a plurality of comments, comment creation time 420 for storing time information such as the time (or the date and hour) of creation or input of a comment, owner properties 430 for storing information of a comment creator, access information 440 for storing information as to whether or not it is possible for the comment creator or another person to view or edit the comment, and comment data 450 for storing the inputted comment.

Col. 7, lines 22-32.

Accordingly, Tanigawa merely discloses storing comment data and does not address storing “modifications made to the design.” Tanigawa fails to disclose each and every limitation of claim 13. Therefore, claim 13 is not anticipated.

Rejection under 35 U.S.C. § 103(a)

Claims 1-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,654,032 to Zhu et al. (hereinafter Zhu) in view of Tanigawa.

Claims 11-12 are rejected under U.S.C. § 103(a) as being unpatentable over Zhu in view of Tanigawa in further view of U.S. Patent No. 6,295,513 to Thackston (hereinafter Thackston).

Claims 14-18 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanigawa in view of Zhu.

Claim 19 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanigawa in view of Zhu in further view of Thackston.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art cited must teach or suggest all the claim limitations. *See* MPEP § 2143. Applicant submits that the rejections do not satisfy these criteria.

Claim 1 recites, in part, “data recordal means for recording the input commands chronologically and storing the record in the database with the object data.” Claims 2-10 depend from claim 1 and, hence, inherit this limitation.

Claim 5 recites, in part, “data recordal means for recording the input commands chronologically and storing the recorded input commands in the database with the object data.” Claims 6-12 depend from claim 5 and, hence, inherit this limitation.

Claims 13 recites, in part, “automatically recording modifications made to the design and storing information representing the modifications chronologically.” Claims 14-19 depend from claim 13 and, hence, inherit this limitation.

As previously discussed Tanigawa is directed to a collaborative work system that enables the receipt of comments from users of the system. Tanigawa merely discloses storing comment data and does not address recording input commands or modifications made to the design.

Zhu discloses a remote server that manages instant sharing of documents. Zhu does not teach or suggest recording input commands or recording modifications in the manner recited by claims 1, 5, and 13 as acknowledged by the Examiner. *See* Office Action, page 3. Similarly, Thackston is directed to a collaborative computer aided design application (CAD). In the Thackston system, a virtual bidding process occurs via network communication in association with the collaborative CAD operations. *See* Abstract of Thackston. However, there is no subject matter in Thackston to teach or suggest recording input commands or recording modifications in the manner recited by claims 1, 5, and 13.

Because none of the cited references individually teach or suggest recording input commands or recording modifications, the combination of references do not teach or suggest each and every limitation of claims 1, 5, and 13. Claims 2-4, 6-12, and 14-19 respectively depend from base claims 1, 5, and 13 and, hence, inherit all limitations of their respective base claims. Accordingly, the cited references (either alone or in combination) do not teach or suggest each and every limitation of claims 2-4, 6-12, and 14-19. A *prima facie* case of obviousness has not been established for claims 1-12 and 14-19.

Conclusion


In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 08-2025, under Order No. 20001760-1 from which the undersigned is authorized to draw.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as Express Mail, Airbill No. EV482736807US in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: May 25, 2004

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